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Notice of Allowability

Application No.

10/662,903

Examiner

LOHA BEN

Applicant(s)

ORIMO ET AL.

Art Unit

2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicants' Amendment dated January 24, 2005.
2. ☒ The allowed claim(s) is/are 1-33.
3. ☒ The drawings filed on 24 January 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |


Loha Ben
Primary Examiner

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In the Claims

In claim 12: line 17, "member" has been replaced with – members --, since this was clearly intended.

In claim 15: line 3, before "provided", -- hole – has been retained.

Fully amended texts are given below:

12. (Currently Amended) A lens apparatus comprising:
a plurality of lenses for forming an image of an object;
a lens holding member for holding at least one of said plurality of lenses;
a main body unit of a lens barrel mounting said lens holding member, said main body unit of the lens barrel carrying said plurality of lenses mounted therein on a common optical axis;
support means for positioning said lens holding member with respect to said main body unit of the lens barrel in a plane perpendicular to an optical axis of said lens and for carrying said lens holding member for movement in a direction along the optical axis; and

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adjustment means including a plurality of adjustment members, rotationally mounted on at least three sites on an outer peripheral surface of said main body unit of the lens barrel, said adjustment ~~member~~ members being rotated to displace said lens holding member in a direction along the optical axis for adjusting a tilt of the lens held by said lens holding member.

15. (Currently Amended) The lens apparatus according to claim 13 wherein each of said plurality of adjustment members has a pivot shaft engaged in a shaft hole provided to the outer peripheral surface of the main body unit of the lens barrel and is rotationally mounted to the outer peripheral surface of the main body unit of the lens barrel by engagement of said pivot shaft in said shaft hole.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: Among the three independent claims 1, 12 and 23 of the thirty three claims presented, claim 1 appears to be the broadest, on which the reasons for allowance is based.

Vis-à-vis claim 1, Masuda is the best reference of record. However, despite the striking similarity of the device of Masuda, as compared with that of the present claim 1, the adjustment means of the former is for placing a holding plate in a locked state in which the holding plate cannot move with respect to a base plate, and in an unlocked (moveable) state in which the holding plate is disengaged from the base plate, whereas the adjustment means of the latter is for displacing the lens holding member, through its

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rotational action, in a direction along the optical axis for adjusting a tilt of a lens held by the lens holding member.

Therefore, in view of the above difference, it is concluded that the two inventions in consideration contain divergent subject matters.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loha Ben whose telephone number is (571) 272-2323. The examiner can normally be reached on Monday to Saturday, generally between 12:00 noon and 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps, can be reached on Monday to Friday, at (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 4, 2005



Loha Ben
Primary Examiner